

Appl. No. 10/821,032 (KC 18,970)

Amendment in Reply to Office Action dated April 25, 2005

REMARKS

In the Office Action dated April 25, 2005, claims 1-3, 5-14, 16 and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over by Lewis, Jr. et al. (U.S. patent number 5,073,988) in view of Gershman (Velcro® Digest).

Claims 4, 15 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewis, Jr. et al. and Gershman and further in view of Faass (U.S. patent number 5,503,908).

Claim 1 calls for a protective garment that has a garment body with at least one sleeve and a glove. As shown in the Figs. and as described on page 6, lines 9-25 of the specification, a portion of the first interior surface of the glove overlaps a portion of the first exterior surface of the sleeve. The overlapping feature of the glove and sleeve further reduces the risk of contamination from the skin of the medical technician to an instrument or other item in the operating room as the overlapping provides for a surface connection as opposed to a line connection. The protective garment may be used in the medical industry to prevent contamination to or from a medical technician.

The combination of Lewis, Jr. and Gershman does not disclose or render obvious the protective garment set forth in claim 1. Lewis, Jr. is directed towards a sleeve-glove attachment assembly for protective coveralls that are used to protect a wearer in hazardous environments (see the abstract of Lewis, Jr.). The sleeve-glove attachment assembly in Lewis, Jr. is designed to provide a seal against leakage at the connection between the glove and the sleeve (see Lewis, Jr. at column 5, lines 5-9). The Office Action of April 25, 2005 identified Lewis, Jr. as having a garment body 12 with at least one sleeve 26 and a glove 24. As shown in the Figs. and described in the specification of Lewis, Jr., the glove 24 does not overlap the sleeve 26. In fact, Lewis, Jr. explicitly discloses the sleeve 26 as overlapping a portion of the glove 24. The connection described in Lewis, Jr. involves pulling the glove 24 over an inner sleeve 36 and then securing the glove 24 thereon by hook pile tape 58 (see Lewis, Jr. at column 4, lines 53-57). A user will subsequently close a zipper 64 so that the inner surface of the sleeve 26 overlaps the outer

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surface of the glove 24 and will further secure the connection between the sleeve 26 and the glove 24 by use of hook and loop pile tape 70 and 72 (see Lewis, Jr. at column 4, lines 64-67). As such, Lewis, Jr. explicitly discloses a sleeve-glove attachment assembly in which the glove 24 is overlapped by the sleeve 26 on the exterior surface of the glove 24.

Claim 1 of Applicant's application calls for an arrangement in which a portion of the first interior surface of the glove overlaps a portion of the first exterior surface of the sleeve. This structure is not present in Lewis, Jr. and it would not have been obvious for one having ordinary skill in the art to modify Lewis, Jr. to achieve the protective garment as discussed in claim 1. Specifically, if one were to reconfigure Lewis, Jr. so that the interior surface of the glove 24 overlaps the exterior surface of the sleeve 26, the resulting connection assembly would not be able to function to prevent leakage as disclosed in Lewis, Jr. This reference explicitly discloses the glove 24 as being located between the inner sleeve 36 and the sleeve 26 so as to obtain an improved connection for preventing leakage at the sleeve-glove connection. Modification of Lewis, Jr. in the manner suggested in claim 1 of Applicant's application would result in a completely different configuration and would go against the explicit teachings of the reference.

Gershman was cited in the Office Action for the proposition that hook and loop fasteners are interchangeable with and equivalent to adhesives. Even if this were the case, Gershman still provides no teaching to one having ordinary skill in the art to modify Lewis, Jr. to achieve the structure set forth in Applicant's application. As such, Applicant respectfully submits that claim 1 is patentable over the combination of Lewis, Jr. and Gershman and is condition for allowance. Claims 2-8 depend either directly or indirectly from claim 1 and recite the present invention in varying scope. These claims are similarly distinguishable not only because of the patentability of the independent claim but also because of the combination of the subject matter of each of the dependent claims with the independent claim which makes each claim further distinguishable, and which is not taught or suggested by the cited references singly or in combination.

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Claims 9 and 20 have also been amended in a manner similar to claim 1. Applicant respectfully submits that claims 9 and 20 are patentable over the combination of Lewis, Jr. and Gersham for essentially the same reasons as discussed above with respect to claim 1 and are in condition for allowance. Further, all claims that depend from claim 9 (claims 10-19) are also in condition for allowance for essentially the same reasons as discussed above with respect to claims 2-8.

Applicant respectfully submits that all claims are allowable and the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at her convenience should she have any questions regarding this matter or require any additional information.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (770) 587-8621.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I, Laura L. Rubino, hereby certify that on July 21, 2005 this document is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

By: 

Laura L. Rubino